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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,662	10/19/2000	Hidehiko Shin	32908	2713

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EXAMINER	
LUU, SY D	

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/622,662	SHIN ET AL.	
	Examiner	Art Unit	
	Sy D Luu	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,7 and 8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,7 and 8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This communication is responsive to Amendment A, filed 4/30/2004.

2. Claims 1-4 and 7-8 are pending in this application. Claims 1 and 2 are independent claims. This action is made Final.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Kyoichi et al. ("Kyoichi", JP-10039981A).

As per claim 1, Kyoichi teaches a hypertext display apparatus for displaying a hypertext document, comprising:

display means (**abstract**; *element 106*) for displaying the hypertext document (**abstract**; *HTML document*);

selection means (**abstract**; *element 108*) for selecting an anchor on the hypertext document according to an instruction from a user;

analysis means for analyzing the hypertext document and for extracting anchor information,

attribute selection judgment means for judging according to outputs of said selection means and said analysis means whether or not an anchor having an attribute corresponding to said selection means is selected,

attribute activation judgement means for judging according to an output of the attribute selection judgement means whether or not an anchor having an attribute corresponding to said selection means is activated, and

acquisition means for acquiring from a server data, which is indicated by the anchor information, according to an output of said attribute activation judgement means (**abstract**).

Claim 2 is similar in scope to claim 1, and would have been rejected under similar rationale. Kyoichi also discloses focus moving means for moving focus to a location in a hypertext document, which is designated by anchor information selected by said selection means (**abstract**; *moving to the link destination corresponding to the selection*).

Claim Rejections - 35 USC § 103

6. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyoichi et al. ("Kyoichi", JP-10039981A).

As per claims 3 and 7, Kyoichi does not explicitly disclose said selection means being a means allowing a user to depress a button/key to select an anchor. Official Notice is taken that the use of such a means, e.g. a mouse input device, is notoriously well known in the art. It would

have been obvious to an artisan at the time of the invention to include such a selection means with Kyoichi's apparatus in order to provide users with a means for making a selection.

7. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyoichi et al. ("Kyoichi", JP-10039981A) in view of Noguchi (US 5,983,184).

As per claims 4 and 8, Kyoichi does not teach the selection means to select an anchor by utilizing audio. Noguchi teaches a system for making selection of hyperlinks through voice input (**abstract**). It would have been obvious to an artisan at the time of the invention to combine Noguchi's voice input feature with Kyoichi's apparatus in order to further facilitate user's navigation control for users with specific needs.

Response to Arguments

8. Applicant's arguments with respect to claims 1-4 and 7-8 have been fully considered but they are not persuasive.

Per claim 1, Applicant argues that Kyoichi does not disclose or teach:

(a) "selection means for selecting an anchor on the hypertext document according to an instruction from a user",

(b) "analysis means for analyzing the hypertext document and for extracting anchor information",

(c) "attribute selection judgement means for judging according to outputs of said selection means and said analysis means whether or not an anchor having an attribute corresponding to said selection means is selected",

(d) "attribute activation judgement means for judging according to an output of the attribute selection judgement means whether or not an anchor having an attribute corresponding to said selection means is activated", and

(e) "acquisition means for acquiring from a server data, which is indicated by the anchor information, according to an output of said attribute activation judgement means".

The examiner disagrees for the following reasons:

Per (a), by disclosing user input detecting means 108 being applied to an HTML document, Kyoichi inherently teaches a selection means selecting a hyperlink (anchor) on the HTML document being displayed.

Per (b), the analysis means would have been inherent to such a system as Kyoichi's so that valid hyperlinks and hyperlinks information in the HTML document would be known to the system prior to user's selection in order to carry out appropriate links extraction.

Per (c), the selection judgement means would have been inherent to such a system as Kyoichi's so as to be able to know when a selection is made, whether the selection is made on a valid hyperlink and so that an appropriate action would be executed accordingly.

Per (d), the activation judgement means would have been inherent to such a system as Kyoichi's so that the system would know when a selection is made in order to carry out the link command and bring back requested information accordingly.

Per (e), by disclosing "...operating instruction information instructing the reaction to the user input, the HTML data control means 105 executes move to the link destination corresponding to the user input detected by the user input detecting means 108" and the HTML document is retrieved and downloaded to a TV, Kyoichi teaches that once the hyperlink is

selected by the user, the information related to the hyperlink is determined and brought down from the networks to be displayed to the user.

Regarding claim 2, Applicant's arguments are similar to those in claim 1, and are thus similarly responded as above. Applicant further argues that Kyoichi is silent as to what and where the link destination is located, and thus Kyoichi does not disclose focus moving means for moving the focus to a location in the hypertext document. The Examiner disagrees because in any HTML document that there are active hyperlinks, the links are inherently highlighted so that users would know the existence of the links. Furthermore, it is also inherent that a focus moving means would be required in order for users to be able to make a hyperlink selection.

Regarding claims 3 and 7, Applicants argue that although buttons and keys are well known in the art, there is no suggestion/motivation to modify Kyoichi to arrive at the claimed invention. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would be obvious that some means of input is necessary to make a selection from the TV. Input selection means comprising of buttons/keys are notoriously well known in the art to allow users to select options as presented on the screen. Since Kyoichi disclosed that an input means is being used, it would have been obvious for Kyoichi's input means to include some form of buttons/keys.

Regarding claims 4 and 8, Applicants argue that there is no motivation to look at or use the voice synthesis program elements of Noguchi to modify the Kyoichi's TV terminal. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Kyoichi teaches an input means to make selection of an anchor but does not teach the input means to be of audio nature. This is what Noguchi teaches. Therefore, the Examiner reiterates that the combining of Noguchi's voice input feature with Kyoichi's apparatus would have been obvious as an additional means for facilitating user's navigation control, espescially for users with specific needs.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquires

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is **(703) 305-0409**. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

SY D. LUU
PRIMARY EXAMINER